

REMARKS

This response is submitted to the Office Action mailed July 5, 2007. At present, all of claims 1 and 3-12 are rejected under 35 U.S.C. §103(a) as being unpatentable over Marsh et al. in view of Friedman et al. and further in view of Sick et al.

Applicant appreciates the Examiner's participation in a telephone interview on November 28, 2007 with Applicant's undersigned attorney. In the interview, Applicant's undersigned attorney brought to the Examiner's attention that the Office Action does not address the current claim language (i.e., the claim language as amended in Applicant's April 3, 2007 Response). Rather, the Office Action appears to base the rejection on an older version of the claim language.

For example, the Office Action states that Marsh teaches "conducting an analysis of a subscriber's telecommunication usage requirements." However, current Claim 1 recites the step of "conducting an analysis of a subscriber's telecommunication predicted usage requirements and historical usage."

Additionally, the Office Action states that Marsh teaches "selecting a telecommunication carrier plan to conform to the baseline report." However, current Claim 1 recites the step of "selecting a telecommunication carrier plan to conform to the predicted usage requirements and the historical usage."

Further, the Office Action does not address either the step of "determining an anticipated billed amount based on the actual usage" or the step of "comparing the anticipated billed amount to the actual billed amount to identify billing errors in the bill," both of which are recited in current Claim 1.

During the telephone interview, the Examiner indicated that he will withdraw the final rejection and issue a new Office Action addressing the current claim language. The Examiner also indicated that he will issue an Interview Summary confirming this intended action. Applicant appreciates the Examiner's assistance in correcting this matter.

When preparing a new Office Action, Applicant urges the Examiner to consider the arguments presented in Applicant's April 3, 2007 Response, including the Declaration of one of the inventors, Kae Kimberly Zulager. In the Declaration, Ms. Zulager describes the outstanding commercial success of a commercial embodiment of the claimed system, which Applicant believes provides convincing objective indicia of nonobviousness of the present invention.

CONCLUSION

In view of the foregoing remarks, Applicants respectfully submit that all of the claims of the present application are in condition for allowance. It is respectfully requested that a Notice of Allowance be issued in due course. The Examiner is encouraged to contact Applicants' undersigned attorney to resolve any remaining issues in order to expedite examination of the present application.

It is not believed that extensions of time or fees for net addition of claims are required, beyond those that may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 CFR § 1.136(a), and any fee required therefore (including fees for net addition of claims) is hereby authorized to be charged to Deposit Account No. 50-2127.

Respectfully Submitted,



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